

REMARKS

Claims 1-49 are pending. Claims 1, 5, 28, 33 and 44 are amended herein.

Specification

The abstract of the disclosure is objected to for reasons cited in the instant Office Action. The abstract is amended to address the objection.

Claim Objections

Claims 5, 7, 8 and 28 are objected to for reasons cited in the instant Office Action. These claims are amended to address the objection.

The instant Office Action includes a requirement that Claims 5, 6, 19, 20, 25 and 26 be renumbered. In a phone call on March 17, 2004, with John Wagner (Attorney for the Applicants), Examiner Hoffman stated that the requirement to renumber the claims can be disregarded.

103(a) Rejections

Claims 1, 2, 4-8, 12-14, 17-22, 24-28, 32-37, 39-42 and 44-48

Claims 1, 2, 4-8, 12-14, 17-22, 24-28, 32-37, 39-42 and 44-48 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hamanaka (US Patent No. 6,603,883) in view of Uz (US Patent No. 6,351,538). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 1, 2, 4-8, 12-14, 17-22, 24-28, 32-37, 39-42 and 44-48 is not anticipated nor rendered obvious by Hamanaka and Uz, alone or in combination.

With regard to independent Claims 1, 13 and 21, Applicants respectfully agree with the statement in the instant Office Action to the

effect that Hamanaka does not teach progressively encrypting data or a progressive encrypter as recited in the claims. Claims 2, 4-8 and 12 are dependent on Claim 1 and recite additional limitations. Claims 14 and 17-20 are dependent on Claim 13 and recite additional limitations. Claims 22, 24-28 and 32 are dependent on Claim 21 and recite additional limitations.

With regard to independent Claims 33, 39 and 44, Applicants respectfully agree with the statements in the instant Office Action to the effect that Hamanaka does not teach decrypting progressively encrypting data or a decrypter for decrypting progressively encrypted data, as recited in the claims. Claims 34-37 are dependent on Claim 33 and recite additional limitations. Claims 40-42 are dependent on Claim 39 and recite additional limitations. Claims 45-48 are dependent on Claim 44 and recite additional limitations.

Applicants respectfully disagree with the statements in the instant Office Action that the claim limitations mentioned above are taught by Uz. Applicants understand Uz to describe an encoding process in which a first video portion is encoded using a second video portion as a reference. Uz uses MPEG-2 encoding as an example of the encoding processing, in which an encoded "P picture" or an encoded "B picture" in a group of pictures relies on the data of a preceding picture in the group of pictures (e.g., an "I picture"). Applicants respectfully note that "encoding" refers to data compression.

According to Uz, as understood by the Applicants, the only data that is encrypted is the data associated with the picture that is relied on by the

other pictures. According to Uz, in the example above only the I picture would be encrypted.

According to the instant application, "progressive encryption is defined as a process which takes original data (plaintext) as input and creates progressively encrypted data (ciphertext) as output, where the progressively encrypted data has the property that the first portion can be decrypted alone, without requiring information from the remainder of the original data; and progressively larger portions can be decrypted with this same property, in which decryption can require data from earlier but not later portions of the bitstream. Progressive encryption techniques include, for example, cipher block chains or stream ciphers. These progressive encryption methods have the property that the first portion of the data is encrypted independently, then later portions are encrypted based on earlier portions" (see at least page 14, lines 22-33, of the instant application).

Applicants respectfully submit that the encryption process described by Uz does not show or suggest that a later portion of data is encrypted based on an earlier portion of data that is encrypted independently of the later portions. At best, Uz only teaches that a selected portion of data is encrypted. Thus, Applicants respectfully submit that the encryption process described by Uz does not meet the definition of progressive encryption.

Therefore, Applicants respectfully submit that Uz, alone or in combination with Hamanaka, does not show or suggest progressive encryption, progressively encrypting data, or decrypting progressively encrypted data, as recited in the claims. Accordingly, Applicants

respectfully submit that Hamanaka and Uz, alone or in combination, do not show or suggest the embodiments of the present claimed invention recited in independent Claims 1, 13, 21, 33, 39 and 44, and that these claims are considered patentable over Hamanaka and Uz (alone or in combination). Because Claims 2, 4-8, 12, 14, 17-20, 22, 24-28, 32, 34-37, 40-42 and 45-48 depend from Claims 1, 13, 21, 33, 39 or 44 and contain additional limitations that are patentably distinguishable over Hamanaka and Uz (alone or in combination), these claims are also considered patentable over Hamanaka and Uz (alone or in combination). Therefore, Applicants respectfully submit that the basis for rejecting Claims 1, 2, 4-8, 12-14, 17-22, 24-28, 32-37, 39-42 and 44-48 under 35 U.S.C. § 103(a) is traversed.

Claims 3, 15, 16, 23, 38, 43 and 49

Claims 3, 15, 16, 23, 38, 43 and 49 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hamanaka as modified by Uz and further in view of Yamaguchi et al. ("Yamaguchi," US Patent No. 5,818,531). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 3, 15, 16, 23, 38, 43 and 49 is not anticipated nor rendered obvious by Hamanaka, Uz and Yamaguchi, alone or in combination.

As presented above, Applicants respectfully submit that Hamanaka and Uz, alone or in combination, do not show or suggest the embodiments of the present claimed invention recited in independent Claims 1, 13, 21, 33, 39 and 44. Claim 3 is dependent on Claim 1 and recites additional limitations. Claims 15 and 16 are dependent on Claim 13 and recite additional limitations. Claim 23 is dependent on Claim 21 and recites additional limitations. Claim 38 is dependent on Claim 33 and recites

additional limitations. Claim 43 is dependent on Claim 39 and recites additional limitations. Claim 49 is dependent on Claim 44 and recites additional limitations.

Applicants respectfully submit that Yamaguchi does not overcome the shortcomings of Hamanaka and Uz. Applicants respectfully submit that Yamaguchi, alone or in combination with Hamanaka and Uz, does not show or suggest progressive encryption, progressively encrypting data, or decrypting progressively encrypted data, as recited in the independent claims.

Therefore, Applicant respectfully submits that Hamanaka, Uz and Yamaguchi, alone or in combination, do not show nor suggest the present invention as recited in independent Claims 1, 13, 21, 33, 39 and 44, and that these claims are considered patentable over Hamanaka, Uz and Yamaguchi (alone or in combination). Because Claims 3, 15, 16, 23, 38, 43 and 49 depend from Claims 1, 13, 21, 33, 39 or 44 and contain additional limitations that are patentably distinguishable over Hamanaka, Uz and Yamaguchi (alone or in combination), these claims are also considered patentable over Hamanaka, Uz and Yamaguchi (alone or in combination). Therefore, Applicants respectfully submit that the basis for rejecting Claims 3, 15, 16, 23, 38, 43 and 49 under 35 U.S.C. § 103(a) is traversed.

Claims 9-11 and 29-31

Claims 9-11 and 29-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hamanaka as modified by Uz and further in view of Van der Auwera et al. ("Van der Auwera;" US Patent No. 6,532,265). The Applicants have reviewed the cited references and respectfully submit

that the present invention as recited in Claims 9-11 and 29-31 and 49 is not anticipated nor rendered obvious by Hamanaka, Uz and Van der Auwera, alone or in combination.

As presented above, Applicants respectfully submit that Hamanaka and Uz, alone or in combination, do not show or suggest the embodiments of the present claimed invention recited in independent Claims 1 and 21. Claims 9-11 are dependent on Claim 1 and recite additional limitations. Claims 29-31 are dependent on Claim 21 and recite additional limitations.

Applicants respectfully submit that Van der Auwera does not overcome the shortcomings of Hamanaka and Uz. Applicants respectfully submit that Van der Auwera, alone or in combination with Hamanaka and Uz, does not show or suggest progressive encryption, progressively encrypting data, or decrypting progressively encrypted data, as recited in the independent claims.

Therefore, Applicant respectfully submits that Hamanaka, Uz and Van der Auwera, alone or in combination, do not show nor suggest the present invention as recited in independent Claims 1 and 21, and that these claims are considered patentable over Hamanaka, Uz and Van der Auwera (alone or in combination). Because Claims 9-11 and 29-31 depend from Claims 1 or 21 and contain additional limitations that are patentably distinguishable over Hamanaka, Uz and Van der Auwera (alone or in combination), these claims are also considered patentable over Hamanaka, Uz and Van der Auwera (alone or in combination). Therefore, Applicants respectfully submit that the basis for rejecting Claims 9-11 and 29-31 under 35 U.S.C. § 103(a) is traversed.

Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims.


Based on the arguments presented above, Applicants respectfully assert that Claims 1-49 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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